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DCI/ICS 86-7037

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MEMORANDUM FOR: Director of Central Intelligence
VIA: Deputy Director of Central Intelligence
FROM: Director, Intelligence Community Staff
SUBJECT: Guidance Concerning "Helms Amendments" to the FY 1987
Intelligence Authorization Act

1. The FY 1987 Intelligence Authorization Act contains a number of tasks which require some action by the Community, including those added on the Senate floor by Senator Helms. At the DDCI's suggestion, I recently convened a working group--including representatives from our staff, OGC, OCA, and the CIA Comptroller--to discuss the Helms reports. Our recommendations follow.

STAT

2. From a purely technical point of view, actions requested in Classified Annexes to the Intelligence Authorization Act are not legally binding. The same is true of the reports that Senator Helms appended to the SSCI's Classified Annex. Nonetheless, as a matter of long-standing practice, we have supplied reports requested in the Classified Annexes in an effort to avoid unnecessary conflict with our Oversight Committees.

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3. The consensus is that we should comply with most of items contained in the Helms "amendment" package, using existing documents or ongoing work wherever possible. The exception to this would be those items that raise questions of Executive Privilege, or which may run counter to other fundamental policy considerations of the administration.

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4. I am advised that the one item we cannot and should not respond to is the request for the 1980 Transition Team Report. It is recommended that we redirect the request to the White House, since we do not possess the document and since this issue bears on Executive Privilege.

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5. In summary, I believe we should be able to respond to most, if not all, of the Helms "amendments" without any major new undertakings of effort. With your concurrence, we will task appropriate elements of the Community as indicated in Attachment A.

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Edward S. Heinz
Lieutenant General, USAF

Attachments:

- A. Recommendation on Disposition of Remaining Issues
- B. "Supplement to SSCI Report on FY 1987 Intelligence Authorization Bill" (Helms Amendments)

CONCUR:



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Deputy Director of Central Intelligence

126 Nov 1986

Date

APPROVED:

Director of Central Intelligence

2 DEC 1986

Date

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ATTACHMENT A

Recommendations on the Disposition of Remaining Issues

A. Competitive Analysis - the Helms package listed a number of issues that it asserted should be subjected to "competitive analysis;" recommend the response to this item be tasked to the National Intelligence Council.

B. Survivability of Technical Collection - the concerns expressed on this issue are very similar to those voiced by the SSCI during its hearings, and their recommendations on our budget this past year. Clearly, the President's FY 1988 budget request will provide the framework for the consideration of this issue in the next Congress. Recommend, therefore, that the Intelligence Community Staff take the lead in pulling together the response to this issue, with a view toward your NFIP Overview testimony this coming February.

C. Training on Combatting Marxism-Leninism - we understand that Office of Training and Education is reviewing current Agency courses and training material in this area. Recommend task go to Executive Director, CIA.

D. Integrated Estimates of the Soviet Union - recommend this be tasked to the NIC for action.

E. Report on Data Denial - the request is for a listing by collection discipline of findings to date on this subject; recommend Executive Director, CIA give to the NIC for action.

F. FBIS Analysis - suggestion is that FBIS analyses on PRC and USSR developments be reported in an all-source context to users. Recommend Director, FBIS be tasked to prepare a response.

G. Reconnaissance Capability - requests consideration of B-1B as potential reconnaissance platform. Recommend Director, Program and Budget Staff, Intelligence Community Staff handle with Deputy Assistant Secretary of Defense for Command, Control, Communications and Intelligence as part of their ongoing efforts in this area.

H. Protection of Polygraph Information - no action required. Recommend Director, Community Counterintelligence and Security Countermeasures Staff, Intelligence Community Staff prepare correspondence stating policy and acknowledging Senate's concerns.

I. Role of DIA - underlying concern seems to be with perceived threats to DIA's "Independence" vis-a-vis Soviet military programs, spending, etc. Recommend Director, DIA prepare letter reaffirming DIA charter to allay these concerns.

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